

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 12119 OF 2017

Mr. Hemant Bhalchandra Pawar

....Petitioner

V/s.

The Registrar, Mumbai University & Ors.

....Respondents

Mr. Rajaram Bansode for the petitioner.

Mr. P.M. Palshikar for respondent nos.1 to 3.

Mr. V.N. Sagare, AGP for respondent nos.4 and 5.

**CORAM : NARESH H. PATIL &
V.M. DESHPANDE, JJ.**

DATED : 29th JUNE, 2018.

P.C.:

. By this petition, the petitioner prays that he may be appointed in the category of 'O.H./physically handicapped person/physically challenged.

2. The learned counsel for the petitioner submits that he was appointed on temporary basis from time to time since 2007. The petitioner participated in the recruitment process initiated by the Mumbai University. He had approached the Commissioner/Competent Authority, Persons with Disabilities, Maharashtra State, Pune for securing appropriate order. The Commissioner vide order dated 11.11.2013 had partly allowed the application of the petitioner. The

petitioner appeared for exam and secured 98 marks. In spite of securing 98%, the petitioner was not appointed by the Mumbai University.

3. The learned counsel appearing for Mumbai University submitted that the petitioner, handicapped person, had participated in the recruitment process. The University had taken into consideration the marks obtained by the petitioner in the prescribed category and accordingly selection process was completed.

4. The learned counsel appearing for the University shall take into consideration the Rights of Persons with Disabilities Act, 2016 and would review the backlog and then submit appropriate proposal with the State Government. As and when such proposal is received, the learned AGP assures that the State would take appropriate decision.

5. We, therefore, observe that in case a fresh advertisement is issued, the petitioner has liberty to participate in the advertisement process, subject to eligibility criteria being satisfied.

6. With this, Writ Petition stands disposed of.

(V.M. DESHPANDE, J.)

(NARESH H. PATIL, J.)